

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

MAURICE JAMES SJOBLUM,
on behalf of himself and a class of employees
and/or former employees similarly situated,

Plaintiff,

v.

ORDER

07-cv-451-bbc

CHARTER COMMUNICATIONS, LLC and
CHARTER COMMUNICATIONS (CCI),
INC. (fictional name), a/k/a CHARTER
COMMUNICATIONS, INC. (corporate
name)

Defendants.

Plaintiff has moved for conditional certification of an opt-in nationwide collective action under the Fair Labor Standards Act on behalf of himself and similarly situated current and former employees of defendants. See 29 U.S.C. § 216(b). Briefing on the motion has been completed. However, in an order entered on February 14, 2008, the court gave defendants until February 25, 2008 to object to the affidavits that plaintiff filed in support of his motion. Accordingly, the court will not rule on the motion for conditional certification until after that date.

A review of the briefs shows that the parties did not discuss the content or method of the proposed notice, especially in light of the second amended complaint. If the motion is granted, the parties would need further time to address the issue of notice to potential class members. Rather than add to the delays that have occurred to date, I am asking the parties to consider the notice proposed by plaintiff in his motion in the event the motion is granted. Although I realize that the final decision on conditional certification may affect the putative class definition or eliminate the need for any notice. However, in the interests of time, I am requesting the parties to meet and confer on the content and method of the proposed notice during the next week. If a collective action is certified, a hearing will be held in person on Thursday, February 28, 2008 at 1:30 p.m. to resolve any outstanding issues related to the notice. Should the parties prefer the hearing be held by telephone, they may notify the court of their intent no later than February 27, 2008.

ORDER

IT IS ORDERED that the parties will have until February 27, 2008 to meet and confer on the content and method of the proposed notice to potential class members.

Entered this 21st day of February, 2008.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge